

**COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION**

In the Matter of:

APPLICATION OF MALLARD POINT)
DISPOSAL SYSTEMS, INC. FOR 1) A)
CERTIFICATE OF PUBLIC CONVENIENCE)
AND NECESSITY TO CONSTRUCT THE)
PROPOSED WASTEWATER IMPROVEMENT)
PROJECT; AND 2) THE APPROVAL OF THE)
PROPOSED PLAN OF FINANCING)

CASE NO. 2003-00283 ✓

In the Matter of:

APPLICATION OF MALLARD POINT)
DISPOSAL SYSTEMS, INC. FOR AN)
ADJUSTMENT OF RATES PURSUANT)
TO THE ALTERNATIVE RATE FILING)
PROCEDURE FOR SMALL UTILITIES)

RECEIVED

FEB 06 2004

CASE NO. 2003-00284
PUBLIC SERVICE
COMMISSION

* * * * *
NOTICE OF FILING
* * * * *

Comes now the Applicant Mallard Point Disposal Systems, Inc., and gives notice of the filing of the invoices attached hereto as Exhibit 1 received from Mooney Mooney & Mooney for legal services rendered to it throughout the course of this proceeding. Mallard Point Disposal Systems, Inc. respectfully requests that the Public Service Commission add and include to its pending rate request the actual legal fees and costs incurred herein.

EUGENE F. MOONEY
JAMES M. MOONEY
MATTHEW L. MOONEY
MOONEY, MOONEY & MOONEY
208 SOUTH LIMESTONE STREET
LEXINGTON, KENTUCKY 40508-2502
(859) 259-2701

ATTORNEYS FOR MALLARD POINT
DISPOSAL SYSTEMS, INC.

CERTIFICATE OF SERVICE

I hereby certify that an original and ten (10) copies hereof was mailed, postage prepaid,
by United States mailed, to the following:

Kentucky Public Service Commission
P.O. Box 615
211 Sower Boulevard
Frankfort, Kentucky 40602-0615

and that a copy of the foregoing was mailed, postage prepaid, to the following:

Hon. Cullen C. Gault
333 West Vine Street, 16th Floor
P.O. Box 2220
Lexington, Kentucky 40588-2220

Ronald & Kristy Nail
201 Widgeon Way
Georgetown, KY 40324

Doug & Angela Beall
112 Bluebill Court
Georgetown, KY 40324

Quinn & Traci Richter
203 Widgeon Way
Georgetown, KY 40324

Winston Faircloth
144 Greenwing Court
Georgetown, KY 40324

Honorable David Edward Spenard
Office of the Attorney General
1024 Capital Center Drive, #200
Frankfort, KY 40601-8204

Carl Jason
122 Merganser Court
Georgetown, KY 40324

Peggy & Jeron van der Gaag
13 Shoveler Court
Georgetown, KY 40324

Charles F. Knapp
110 Sheldrake Court
Georgetown, KY 40324

Robert Warhus
130 Greenwing Court
Georgetown, KY 40324

Bob and Judith Marlowe
145 GreenWing Court
Georgetown, KY 40324

on this the 5th day of February, 2003.



JAMES M. MOONEY

ATTORNEY FOR MALLARD POINT
DISPOSAL SYSTEMS, INC.

LAW OFFICES

Mooney Mooney & Mooney

208 South Limestone Street
Lexington, KY 40508-2502

Eugene F. Mooney
James M. Mooney
Matthew L. Mooney

Telephone
(859) 259-2701
Telefax
(859) 259-2703

September 1, 2003

Mallard Point Disposal Systems, Inc.
104 Teal Court
Georgetown, KY 40324

For the period

File #: 000077-001
Inv #: 968
to Sep 01/03

Attention: Mr. Mark Smith

RE: CPCN Case No. 2003-00283; ARF Case No. 2003-00284

Services

<u>Date</u>	<u>Description</u>	<u>Emp'ee</u>	<u>Hours</u>	<u>Rate</u>	<u>Amount</u>
Aug-26-03	Review file/record	JMM	1.25	\$150.00	187.50
Aug-28-03	Research PSC regs.; Review PSC website for docket sheet	JMM	2.00	\$150.00	300.00
Aug-29-03	Travel to & from PSC; Prepare for & attend informal conf.; Conference - Outside w/Mark after	JMM	3.50	\$150.00	525.00
	Total Services		6.75		\$1,012.50

Disbursements

Aug-31-03	Copies 4 @ 0.25				1.00
	Total Disbursements				\$1.00
Aug-31-03	On Account of Fees and Disbursements				1,000.00
	Total Receipts				\$1,000.00

Totals

Total Services & Disbursements

\$13.50

Previous Balance

\$0.00

Previous Payments

\$0.00

Balance Due Now

\$13.50

LAW OFFICES

Mooney Mooney & Mooney

208 South Limestone Street
Lexington, KY 40508-2502

Eugene F. Mooney
James M. Mooney
Matthew L. Mooney

Telephone
(859) 259-2701
Telefax
(859) 259-2703

October 1, 2003

Mallard Point Disposal Systems, Inc.
104 Teal Court
Georgetown, KY 40324

File #: 000077-001
Inv #: 1114
For the period to Oct 01/03

Attention: Mr. Mark Smith

RE: CPCN Case No. 2003-00283; ARF Case No. 2003-00284

Services

<u>Date</u>	<u>Description</u>	<u>Emp'ee</u>	<u>Hours</u>	<u>Rate</u>	<u>Amount</u>
Sep-03-03	Review file/record re: AG questions and Mallard Point answers	JMM	0.50	\$150.00	75.00
Sep-08-03	Organize files/documents	JMM	0.50	\$150.00	75.00
Sep-12-03	Telephone call from Goff re: MPDS Ans. to AG Ints.	JMM	0.25	\$150.00	37.50
Sep-15-03	Telephone call from Smith re: Ints. rec'd ; Conference - Office w/Smith re: same; Draft, File, Serve Entry of App.; Scan/OCR Ints. from Intervenor, PSC staff; Email same to Smith	JMM	4.50	\$150.00	675.00
Sep-17-03	Review Faircloth/Marlowe Ints.; Scan/OCR. format same; Draft email to Mark re: same	JMM	1.25	\$150.00	187.50
Sep-22-03	Telephone call from Mark re: answers to Intervenor's Ints.; Review & revise same	JMM	2.25	\$150.00	337.50
Sep-23-03	Telephone call from Mark; Conference - Office w/Mark; Review & revise Ans. to Ints.	JMM	5.50	\$150.00	825.00
Sep-24-03	Review & revise Ans. to Ints.; Teleconference with Mark re: same	JMM	4.10	\$150.00	615.00
Sep-25-03	Conference - Office w/Mark; Review & revise Ans. to Ints.; File; Serve	JMM	5.25	\$150.00	787.50
Sep-26-03	Attention to file - copy PSC svc copies; Travel to & from PSC to file	JMM	1.75	\$150.00	262.50
Sep-29-03	Telephone call from Beall, to PSC re: svc. copies of Ans. to Ints.; Telephone call to Mark re: same; Draft Resp. to Mot. for Ext. of Time; File, Serve	JMM	1.25	\$150.00	187.50

	Total Services	27.10	\$4,065.00
	Disbursements		
Sep-30-03	Postage		46.44
	Postage		17.85
	Copies 1449 @ 0.25		362.25
	Total Disbursements		\$426.54
Sep-15-03	On Account of Fees and Disbursements		1,986.50
	Total Receipts		\$1,986.50
	Totals		
	Total Services & Disbursements		\$2,505.04
	Previous Balance		\$13.50
	Previous Payments		\$13.50
	Balance Due Now		\$2,505.04

LAW OFFICES

Mooney Mooney & Mooney

208 South Limestone Street
Lexington, KY 40508-2502

Eugene F. Mooney
James M. Mooney
Matthew L. Mooney

Telephone
(859) 259-2701
Telefax
(859) 259-2703

November 1, 2003

Mallard Point Disposal Systems, Inc.
104 Teal Court
Georgetown, KY 40324

File #: 000077-001
Inv #: 1339
For the period to Nov 01/03

Attention: Mr. Mark Smith

RE: CPCN Case No. 2003-00283; ARF Case No. 2003-00284

Services

<u>Date</u>	<u>Description</u>	<u>Emp'ee</u>	<u>Hours</u>	<u>Rate</u>	<u>Amount</u>
Oct-01-03	Review Warhus Ints.; Format Resp.; Telephone call from Mark re: Warhus Ints.	JMM	0.80	\$150.00	120.00
Oct-02-03	Review & revise Warhus Resp.	JMM	0.80	\$150.00	120.00
Oct-03-03	Review Faircloth, Marlowe, AG Ints ; Format same	JMM	2.25	\$150.00	337.50
Oct-06-03	Review & revise Resp. to Warhus Ints.; Conference - Office w/Mark	JMM	2.10	\$150.00	315.00
Oct-07-03	Review file/record ; Draft Resp. to Mot. to Compel, Mot. to Disallow; Draft email to Mark re: same	JMM	4.10	\$150.00	615.00
Oct-08-03	Review & revise Resp. to Mot. to Compel, Mot. to Disallow; Telephone call from Goff, Smith re: same	JMM	4.30	\$150.00	645.00
Oct-09-03	Review file/record ; Draft discovery to Intervenors	JMM	3.80	\$150.00	570.00
Oct-10-03	Review file/record ; Draft discovery to Intervenors	JMM	5.10	\$150.00	765.00
Oct-14-03	Attend MPOA mtg. at Holiday Inn	JMM	4.00	\$150.00	600.00
Oct-15-03	Review & revise discovery to Intervenors; Telephone call from Mark re: same; Draft email w/discovery to Mark	JMM	1.80	\$150.00	270.00
Oct-16-03	Review & revise discovery; File; Serve; Telephone call from Mark re: mtg. w/Marlowe	JMM	2.75	\$150.00	412.50
Oct-17-03	Telephone call from Mark re: mtg. w/Faircloth	JMM	0.30	\$150.00	45.00

Oct-20-03	Organize files/documents - scan, OCR PSC staff 2nd Ints. & Doc. Req.; Review Ord. re: Faircloth, Baker, Beall mots.; Review & revise Faircloth Ans.; Draft email to Mark re: same	JMM	4.40	\$150.00	660.00
Oct-21-03	Telephone call from Mark re: 10/24/03 Ans., mtg. w/Faircloth et al.	JMM	0.25	\$150.00	37.50
Oct-23-03	Telephone call from Mark re: Faircloth Supp. Ans.; Review & revise same; Telephone call to Mark; File, Serve same	JMM	1.80	\$150.00	270.00
Oct-27-03	Telephone call from Mark re: Ans. to PSC 2nd Ints.	JMM	0.75	\$150.00	112.50
Oct-28-03	Conference - Office w/Mark; Review & revise Ans. to Ints.	JMM	4.75	\$150.00	712.50
Oct-29-03	Review & revise Ans. to Ints.; Review Mot. to Strike from Baker; Draft Resp.; File; Serve	JMM	8.75	\$150.00	1,312.50
Oct-31-03	Conference - Office w/Mark; Review & revise Ans. to Ints.; File; Serve	JMM	7.10	\$150.00	1,065.00

Total Services

59.90

\$8,985.00

Disbursements

Oct-31-03	Stationery/Supplies - folders				14.17
	Copies 2706 @ 0.25				676.50
	Postage				87.70
	Postage				24.20

Total Disbursements

\$802.57

Totals**Total Services & Disbursements****\$9,787.57**

Previous Balance

\$2,505.04

Previous Payments

\$0.00

Balance Due Now**\$12,292.61**

LAW OFFICES

Mooney Mooney & Mooney

208 South Limestone Street
Lexington, KY 40508-2502

Eugene F. Mooney
James M. Mooney
Matthew L. Mooney

Telephone
(859) 259-2701
Telefax
(859) 259-2703

December 1, 2003

Mallard Point Disposal Systems, Inc.
104 Teal Court
Georgetown, KY 40324

File #: 000077-001
Inv #: 1618
For the period to Dec 01/03

Attention: Mr. Mark Smith

RE: CPCN Case No. 2003-00283; ARF Case No. 2003-00284

Services

<u>Date</u>	<u>Description</u>	<u>Emp'ee</u>	<u>Hours</u>	<u>Rate</u>	<u>Amount</u>
Nov-03-03	Telephone call from Mark re: Mots. to Strike, Resp.	JMM	0.50	\$150.00	75.00
Nov-05-03	Telephone call to Mark re: PSC Ord. on Intervenor Ints.	JMM	0.50	\$150.00	75.00
Nov-07-03	Organize files/documents - create Pleading Index	LMB	2.00	\$30.00	60.00
Nov-12-03	Telephone call from Mark re: Intervenor's Ans. to Ints.; Draft Suppl. Ans. to PSC discovery re: att'y. fee	JMM	3.25	\$150.00	487.50
Nov-13-03	Review & revise Suppl. Ans. to PSC discovery re: att'y. fee; Copy; File; Serve	JMM	2.75	\$150.00	412.50
Nov-16-03	Review Warhus Mot.	JMM	0.25	\$150.00	37.50
Nov-17-03	Telephone call to Mark re: Warhus Mot.; Review & revise Ans. to Warhus discovery; Conference - Office w/Mark re: same; Draft Mot. for Leave; Review & revise same; File; Serve	JMM	6.20	\$150.00	930.00
	Total Services		15.45		\$2,077.50

Disbursements

Nov-01-03	Reimbursed Expenses - tabbed dividers	15.74
Nov-13-03	Stationery/Supplies - folders and tabbed dividers	19.42
Nov-18-03	Long distance telephone	0.59
Nov-28-03	Postage	21.55

Nov-30-03	Postage	24.10
	Copies 478 @ 0.25	119.50
		<hr/>
	Total Disbursements	\$200.90

Totals

	Total Services & Disbursements	<hr/> \$2,278.40
	<i>Previous Balance</i>	\$12,292.61
	<i>Previous Payments</i>	\$0.00
		<hr/>
	Balance Due Now	\$14,571.01

LAW OFFICES

Mooney Mooney & Mooney

208 South Limestone Street
Lexington, KY 40508-2502

Eugene F. Mooney
James M. Mooney
Matthew L. Mooney

Telephone
(859) 259-2701
Telefax
(859) 259-2703

January 1, 2004

Mallard Point Disposal Systems, Inc.
104 Teal Court
Georgetown, KY 40324

File #: 000077-001

Inv #: 1721

For the period to Jan 01/04

Attention: Mr. Mark Smith

RE: CPCN Case No. 2003-00283; ARF Case No. 2003-00284

Services

<u>Date</u>	<u>Description</u>	<u>Emp'ee</u>	<u>Hours</u>	<u>Rate</u>	<u>Amount</u>
Dec-02-03	Conference - Office w/Mark re: obj's. to Staff Recommendation	JMM	0.50	\$150.00	75.00
Dec-05-03	Telephone call from Mark; Draft Resp. to PSC Staff Recommendation; File; Serve	JMM	1.00	\$150.00	150.00
Dec-08-03	Review Faircloth comments, AG comments, email from Mark re: same; Telephone call to Mark re: Resp.; Draft Resp.; File; Serve	JMM	5.75	\$150.00	862.50
Dec-10-03	Telephone call from Mark re: Faircloth comments	JMM	0.70	\$150.00	105.00
	Organize files/documents - update pleading file	LMB	0.25	\$30.00	7.50
	Total Services		8.20		\$1,200.00

Disbursements

Dec-30-03	Long distance telephone				0.08
	FedEx/UPS				11.70
Dec-31-03	Copies 178 @ 0.25				44.50
	Total Disbursements				\$56.28

Totals

Total Services & Disbursements

\$1,256.28

Previous Balance

\$14,571.01

Previous Payments

\$4,000.00

Balance Due Now

\$11,827.29

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Mooney Mooney & Mooney

208 South Limestone Street
Lexington, KY 40508-2502

Eugene F. Mooney
James M. Mooney
Matthew L. Mooney

Telephone
(859) 259-2701
Telefax
(859) 259-2703

February 1, 2004

Mallard Point Disposal Systems, Inc.
104 Teal Court
Georgetown, KY 40324

File #: 000077-001

Inv #: 2102

For the period Jan 01/04 to Feb 05/04

Attention: Mr. Mark Smith

RE: CPCN Case No. 2003-00283; ARF Case No. 2003-00284

Services

<u>Date</u>	<u>Description</u>	<u>Emp'ee</u>	<u>Hours</u>	<u>Rate</u>	<u>Amount</u>
Jan-09-04	Review PSC Ord.; Telephone call to Mark	JMM	0.50	\$150.00	75.00
Jan-12-04	Telephone call from Mark re: hrg., req. for inf. conf.	JMM	1.00	\$150.00	150.00
Jan-16-04	Telephone call to JRGoff, to Smith re: hrg.	JMM	0.75	\$150.00	112.50
Jan-26-04	Review file/record ; Telephone call from Mark re: hrg.; Telephone call to Mark re: same	JMM	2.20	\$150.00	330.00
Jan-27-04	Review file/record ; Prepare for hrg.	JMM	3.40	\$150.00	510.00
Jan-28-04	Review file/record ; Telephone call to JRGoff, DSpennard, Smith	JMM	4.50	\$150.00	675.00
Jan-29-04	Review file/record ; Prepare for hrg.	JMM	1.75	\$150.00	262.50
Jan-30-04	Organize files/documents ; Intra-office conference w/MLM re: procedure; Prepare for hrg.	JMM	3.25	\$150.00	487.50
Feb-02-04	Prepare for hrg.	JMM	1.25	\$150.00	187.50
Feb-03-04	Review file/record ; Telephone call to Mark; Prepare for hrg.	JMM	2.70	\$150.00	405.00
Feb-04-04	Prepare for & attend hrg.; Conference - Outside w/Mark after	JMM	4.00	\$150.00	600.00
Feb-05-04	Review hrg. notes; Draft post hrg. memo.; Draft suppl. ans. to PSC ints.	JMM	2.80	\$150.00	420.00
Total Services			28.10		\$4,215.00

Disbursements

Jan-16-04	Long distance telephone	3.25
Jan-31-04	Copies 1 @ 0.25	0.25
	Postage	0.37

Total Disbursements	<hr/>	\$3.87
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Totals

Total Services & Disbursements	<hr/>	\$4,218.87
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Previous Balance		\$11,827.29
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Previous Payments		\$5,000.00
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Balance Due Now	<hr/>	\$11,046.16
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